

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-HC-2239-BO

BOBBY ADAMS,
Petitioner,

v.


UNITED STATES OF AMERICA,
Respondent.

ORDER

On September 21, 2012, Bobby Adams filed this matter pursuant to 28 U.S.C. § 2241. Respondent has moved to dismiss the matter pursuant to federal Rule of Civil Procedure 12(b)(1) and (6). Since filing in this court, Adams appears to no longer be in the custody of the Federal Bureau of Prisons and has not responded to the pending motion. See Docket and <http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=10005-007> (last visited Sept. 10, 2013). The court finds it appropriate to grant respondent's motion to dismiss given the withdrawal of the detainer which was the object of litigation. Thus, respondent's properly argue that the controversy between the parties is no longer alive. See Weinstein v. Bradford, 423 U.S. 147 (1975); Spencer v. Kemna, 523 U.S. 1, 7 (1998).

Respondent's Motion to Dismiss (D.E. 10) is GRANTED. The Clerk is DIRECTED to close the case.

SO ORDERED, this the 10 day of September 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE